

REMARKS

Claims 1-5 were rejected under 35 U.S.C. 102 as being anticipated by Siems et al USPN 5,853,838, claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Siems et al, and claims 7-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Siems et al in view of acknowledged prior art. Applicants request reconsideration and withdrawal of the examiner's rejections, and submit that claims 1-15 and new claim 16 are in condition of allowance.

Rejections under 35 USC §102

The Applicant submits that claims 1-5 are patentable over Siems et al because Siems et al fails to teach, disclose or suggest all of the limitations of these claims. In particular, Siems fails to teach, disclose or suggest a shim with "a rim extending about and above openings and tops of the plurality of grooves and ridges, wherein a top of the rim is in spaced relation with the openings and tops of the plurality of grooves and ridges" or "ridges" as claimed in amended claim 1. Applicant has carefully reviewed Siems and has found no teaching or discussion of "a rim extending around the grooves" in the portions of Siems referred to by the examiner or throughout the entire Siems patent. Since the examiner has not listed an element number for the "rim extending around the grooves" in Siems, Applicant respectfully presumes the examiner has mistaken the radius shown in Figure 1 along the edges of the shim as a rim. Applicant respectfully directs the examiner to Figure 6 to that Figure 1 does not show a rim as claimed in claim 1.

Even if the radius along the edges of the shim depicted in Figures 1 and 6 can be interpreted as a rim, it does not extend "above [the] openings and tops of the plurality of grooves and ridges, wherein a top of the rim is in spaced relation with the openings and tops of the plurality of grooves and ridges," but rather is flush or contiguous with the tops of the so-called ridges and the openings of the grooves.

Accordingly, Applicant submits that claim 1 and claims 2-5 by virtue of their dependence on claim 1, meet the requirements for patentability under 35 USC 102.

Rejections under 35 USC §103

The Applicants submit that claim 6-15 are patentable because none Siems or any allegedly acknowledged prior art teach, disclose or suggest a "rim" as argued above in regard to claim 1. Accordingly, Applicant submits that claim 1 and claims 6-15 by virtue of their dependence on claim 1, meet the requirements for patentability under 35 USC 103.

Conclusion

The Applicants respectfully assert that claims 1-15 and new claim 16 are in condition for allowance. Prompt and favorable action on the merits of the claims is earnestly solicited.

Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700.

Respectfully submitted,

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